



The Gujarat Government Gazette

EXTRAORDINARY PUBLISHED BY AUTHORITY

Vol. LXIV] MONDAY, SEPTEMBER 11, 2023 / BHADRA 20, 1945

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT AGRICULTURAL PRODUCE AND MARKETING (PROMOTION AND FACILITATION) (AMENDMENT) BILL, 2023.

GUJARAT BILL NO. 26 OF 2023.

A BILL

*further to amend the Gujarat Agricultural Produce and Marketing
(Promotion and Facilitation) Act, 1963.*

It is hereby enacted in the Seventy-fourth Year of the Republic of India as follows: -

1. (1) This Act may be called the Gujarat Agricultural Produce and Marketing (Promotion and Facilitation) (Amendment) Act, 2023.
(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and commencement.

**Amendment of
section 8 of
Guj. 20 of 1964.**

- 2.** In the Gujarat Agricultural Produce and Marketing (Promotion and Facilitation) Act, 1963 (hereinafter referred to as “the principal Act”), section 8 shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:-

**Guj. 20 of
1964.**

“(2) Notwithstanding anything contained in this Act, the holder of trading license issued by any other State/ Union Territory, under the law for the time being in force, may buy the agricultural produce, in the manner and procedure agreed to in Memorandum of Understanding (MoU) or in such other instrument between Gujarat State and other State / Union Territory, executed to promote inter-state trade, through electronic National Agriculture Market (e-NAM) or any other such e- platform permitted under this Act.”.

**Amendment of
section 11 of
Guj. 20 of 1964.**

- 3.** In the principal Act, in section 11, -

- (1) in sub-section (1),-

(a) for clause (ii), the following clause shall be substituted, namely: -

“(ii) four members to be elected in the prescribed manner from amongst themselves by the commission agents or traders, as the case may be, who are holding licence under section 27 or 27A, and if, -

- (a) he is holding licence for a period of not less than three consecutive financial years preceding the election year and continues to hold it, and;
- (b) he has traded in full conformity with the terms and conditions of the licence in each of the last three financial years and continues to trade in that manner in the election year:

Provided that if,-

- (i) he is a trader, he had paid minimum market fees of fifty thousand rupees, in each of the last three financial years preceding the election year and market fees payable by him have not remained unpaid;
- (ii) he is a commission agent, minimum market fees of fifty thousand rupees have been paid through him in each of the last three financial years preceding the election year;”;

- (b) in clause (iii), -

- (i) for the portion beginning with the words “two representatives of the co-operative marketing societies” and ending with the words “the managing committees of such societies”, the following portion shall be substituted, namely:-

“two representatives of the co-operative marketing societies situated in the market area, holding general licences to be elected from amongst the members (other than nominal, associate or sympathiser members) of such societies by the members of the managing committees of such societies, if such marketing societies -

- (a) are engaged in the business in conformity with its respective objects; and
- (b) have their last accounts audited in class A, B or C, as the case may be; and
- (c) have bought and sold agricultural produce from minimum one third of its total members, in the market yard in each of the last three financial years preceding the election year; and
- (d) have completed minimum business of five lakh rupees in each of the last three financial years preceding the election year;”;

(ii) after the second proviso, the following proviso shall be added, namely:-

“Provided also that the person eligible as a voter, in an individual capacity or a representative of a society or a trader or a commission agent, can cast one vote and in only one class under clauses (i), (ii) and (iii) above;”;

(2) after sub-section (1A), the following sub-section shall be inserted, namely: -

“(1B) The private market yard owners, committee members or board of directors of the private market yard and their family members shall not be eligible to contest elections to the market committees.

Explanation. —For the purposes of this sub-section, the expression “family members” shall mean a wife, husband, father, mother, grandmother, step-father, stepmother, son, daughter, step-son, step-daughter, grand-son, grand-daughter, brother, sister, half-brother, half-sister and wife of brother or half-brother.”.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Agricultural Produce and Marketing (Promotion and Facilitation) Act, 1963 to consolidate and amend the law relating to the regulation of buying and selling of agricultural produce and the establishment of markets for agricultural produce in the State of Gujarat. However, in order to see that the administration and the management of the market committees are run in a better way and the interests of the stakeholders are protected, it is considered necessary to make certain amendments to the said Act.

This Bill seeks to amend the said Act to achieve the aforesaid object.

JAGDISH VISHWAKARMA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative powers in the following respects:-

Clause 1. - Sub-clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative powers as aforesaid is necessary and is of normal character.

Dated the 11th September, 2023.

JAGDISH VISHWAKARMA.

By order and in the name of the Governor of Gujarat,

K. M. LALA,

Gandhinagar,

Secretary to the Government of Gujarat,

Dated the 11th September, 2023.

Legislative and Parliamentary Affairs Department.

